

of Colorado, I am grateful for the leadership of Colorado State Representative Steve Johnson, and Senator Mark Hillman upon passage of Colorado House Joint Resolution 99-1051.

The findings and recommendations of the Colorado General Assembly, as outlined in this important Resolution are imperative suggestions for this Congress. Accordingly Mr. Speaker, I hereby submit for the RECORD the official position of the State of Colorado regarding amendment of the Federal "Endangered Species Act of 1973." I furthermore urge my colleagues to act favorably upon the instructions offered by my Great State.

#### HOUSE JOINT RESOLUTION 99-1051

By Representatives Johnson, Alexander, Grossman, McKay, Miller, Smith; also Senators Hillman, Anderson, Congrove, Dennis, Epps, Evans, Lamborn, Musgrave, Owen, Powers, Tebedo, Teck.

#### CONCERNING AMENDMENT OF THE FEDERAL "ENDANGERED SPECIES ACT OF 1973"

Whereas, The "Endangered Species Act of 1973" (ESA) needs to be amended to encourage proactive species conservation efforts at the state level rather than reactive, burdensome, and costly efforts at the federal level; and

Whereas, Merely listing a species as threatened or endangered does little to conserve the species; and

Whereas, Many state programs such as Colorado's nongame program have been very successful in conserving species such as the boreal toad without a federal listing; and

Whereas, The ESA should provide incentives for states to adopt proactive approaches to avoid the listing of species under the ESA rather than penalizing such efforts; and

Whereas, The ESA should be amended to provide that a federal listing is not required where a state has already adopted a program to protect the species unless it is absolutely necessary to avoid nationwide extinction; and

Whereas, If a state has an effective program to protect a listed species in place, that program should be recognized as a reasonable and prudent alternative under the ESA, thereby providing a cost-effective means for species recovery, maintaining state jurisdiction over land and water resources, and allowing economic development to move forward; and

Whereas, States should not be penalized for efforts to enhance or establish populations of species by federal pre-emption once the species is listed, rather, such populations should qualify as experimental under the ESA, thereby maintaining control and regulation of the species by the state; and

Whereas, The ESA should not be applied retroactively, and projects in existence prior to the passage of the ESA that may come up for a federal permit or license renewal but do not involve an expansion of the project or an increase in the environmental impact of the project should not be subject to consultation under Section 7 of the ESA; and

Whereas, Federal implementation of the ESA to protect aquatic species must consider state water rights, and any recovery program should be structured to avoid or minimize intrusion into state authority over water allocation and administration; and

Whereas, The administration's "No Surprises" policy should be adopted as an amendment to the ESA so that permit holders and landowners have some assurance that once ESA requirements have been met, no further mitigation efforts will be required; now, therefore,

*Be It Resolved by the House of Representatives of the Sixty-second General Assembly of*

*the State of Colorado, the Senate concurring herein:*

That we, the members of the Sixty-second General Assembly, urge Congress to adopt these amendments to the federal "Endangered Species Act of 1973".

*Be it Further Resolved,* That a copy of this resolution be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of Colorado's Congressional delegation.

RUSSELL GEORGE,  
*Speaker of the House of Representatives.*

JUDITH M. RODRIGUE,  
*Chief Clerk of the House of Representatives.*

RAY POWERS,  
*President of the Senate.*

PATRICIA K. DICKS,  
*Secretary of the Senate.*

#### A NATIONAL MODEL FOR REDUCING YOUTH VIOLENCE

#### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 16, 1999*

Mr. FARR of California. Mr. Speaker, sex, drugs and rock and roll were condemned thirty years ago and here we are today talking about trying to legislate morality when we should really be talking about are education and prevention programs to stop youth violence.

I want to show my colleagues what one of my communities has done \* \* \* the City of Salinas has just published their Strategic Framework to reduce youth violence in their community. It is the result of a community collaborative planning process involving core group members from the schools, social services, faith community, education, health and law enforcement, and the private sector. The intent of the Strategic Framework is to provide a snapshot of community assets and needs, and to chart out the kinds of long-term efforts needed to prevent and reduce violence.

I want to quote from the Mayor's letter, "The root causes of violence are varied and complex \* \* \* We can no longer afford a fragmented and uncoordinated approach to youth violence. This community needs to create multi-disciplinary partnerships, which share resources and transcend the compartmentalization and organizational limitations of the status quo."

Salinas' "Framework for Violence Prevention" is really a "one size fits all" approach that any community in the country can follow to find their own solutions for youth violence.

If we truly want to have an impact on reducing youth violence, I urge my colleagues to work with their local communities to initiate the kind of grass-roots assessment that Salinas did because we won't find the solutions to youth violence here in Washington.

#### PERSONAL EXPLANATION

#### HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 16, 1999*

Mrs. EMERSON. Mr. Speaker, on rollcall No. 204, I was inadvertently detained. Had I been present, I would have voted "aye."

#### PERSONAL EXPLANATION

#### HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 16, 1999*

Mr. DAVIS of Illinois. Mr. Speaker, due to business in the District, I was unavoidably detained in Chicago. As a result, I missed roll votes number 210, 211, 212, 213.

Had I been present I would have voted "nay" on 210 "nay" on 211, "yea" on 212, "nay" on 213.

#### FARM EMPLOYMENT EQUITY

#### HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 16, 1999*

Mr. SCHAFFER. Mr. Speaker, recently I, along with a bipartisan list of cosponsors, introduced H.R. 1874, the Farm Employment Equity Act, also referenced as the "Unemployment Tax Act." The proposal reduces the unemployment tax burden on smaller American agricultural operations—the kind typically know as family farms.

Mr. Speaker, I'm proud to report today, the Colorado General Assembly has endorsed my proposal by the passage of Colorado House Joint Resolution 99-1053 sponsored by State Representative Brad Young, and State Senator Mark Hillman. Colorado's concern for small agriculture producers is now a matter of official public policy, and I commend the leadership of Representative Young and Senator Hillman. Mr. Speaker, this Congress should fully consider and embrace the recommendation of the Colorado General Assembly on this important matter of farm tax relief. Accordingly, I hereby submit for the RECORD, Colorado's official position put by House Joint Resolution 99-1053.

Whereas, Employers who pay cash wages of \$20,000 or more to farm workers in any calendar quarter or employ 10 or more employees at least part time during at least 20 different weeks in a calendar year are required to pay federal unemployment taxes in accordance with the federal "Unemployment Tax Act", and

Whereas, The \$20,000 threshold has not been adjusted since 1978 when federal unemployment tax liability was first imposed upon farm and ranch employees, and the average size of farms and ranches continues to increase as the number of farms and ranches decreases; and

Whereas, While farm production and efficiency have increased, rising costs, imports, and falling commodity prices all threaten the economic security of the nation's family farmers; and

Whereas, Given the crisis situation in American agriculture, America's family farmers need tax relief to maintain their operations and their families; and

Whereas, Unless America's farm families obtain needed tax relief, these farmers may be forced to sell their land, opening the door for development and threatening the well-being of local economies dependent upon small farms; now, therefore, be it

*Resolved by the House of Representatives of the Sixty-second General Assembly of the State of Colorado, the Senate concurring herein:* That we, the members of the Sixty-second General Assembly, request the Congress of the United States to pass legislation to amend the federal "Unemployment Tax Act" to increase the maximum amount of wages that a farmer can pay for agricultural labor without being subject to the federal unemployment tax on such labor, to reflect the effects of inflation on such maximum amount of wages since such tax was first enacted, and to provide for an annual inflation adjustment in such maximum amount of wages; be it further

*Resolved,* That copies of this Joint Resolution be sent to the Secretary of the United States Department of Agriculture, the Secretary of the United States Department of Labor, and to each member of Colorado's delegation to the United States Congress.

#### SUPPORT OF THE AIR 21 LEGISLATION

#### HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 16, 1999*

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of the Air 21 legislation. I believe it is a fair attempt to ensure the safety and economic well being of our nation and its airports. I also support the Shuster manager's amendment. Mr. Speaker this legislation is fair and right. For those who oppose immediate elimination of slots this amendment postpones the elimination of slots at O'Hare for two years until 2002, and for New York's Kennedy and Laguardia airports until 2007. This will allow many of the smaller airlines increased access to larger airports ultimately increasing flight availability, reduced flight delays and decreased airfares.

It is imperative that Congress seize this opportunity to invest in our nation's aviation system and protect the flying public. Mr. Speaker, while airports are crowded today, air travel is forecast to increase by over 50 percent to one billion passengers over the next 10 years. We desperately need more funding to curb the increasing demand on our nation's airport. Capacity constraints and air traffic control outages have caused many flight delays and cancellations. Air 21 will enable America to continue to prosper and avoid gridlock in our aviation system. If we fail to invest in our nation's aviation system we will compromise aviation safety, increase delay time and hinder much needed technological innovations. Air 21 is exactly what we need, it provides airport modernization, improves capacity, and increases fair competition.

For this reason I support Air 21 and urge all of my colleagues to vote in support of this very important legislation.

HELP FOR THE UNINSURED: H.R.  
2185

#### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 17, 1999*

Mr. STARK. Mr. Speaker, on June 14, I introduced H.R. 2185, the Health Insurance for Americans Act, to provide refundable tax credits for the purchase of health insurance through a consumer co-op type of mechanism.

We must act to revise America's health care system. The current system of employer-based coverage is dying, as the following quote from a May 1999 study for the Health Insurance Association of America by Dr. William Custer, makes clear:

There were 31.8 million uninsured non-elderly Americans in 1987. In 1997, this number had risen to 43.1 million, which represents a 35.5 percent increase. From 1996 to 1997 alone, the number of non-elderly Americans without health insurance rose by 4.1 percent. And this report forecasts that the number of uninsured Americans will climb to 53 million during the next ten years and could, if the nation experiences an economic downturn and higher-than-predicted health-care cost inflation, reach 60 million by 2007. This would mean that almost one of every four non-elderly Americans would lack health coverage.

The primary reason for the increase in the number of Americans without health coverage over the past 15 years has been the increase of health care costs relative to family income. Almost six of every ten uninsured Americans lives in families with incomes of less than 200% of the federal poverty level. And while public programs such as Medicaid provide health coverage to about half of those in families with incomes below the federal poverty level, these individuals account for nearly three out of every ten uninsured Americans.

Is there hope that other proposals will noticeably reduce the number of uninsured? For example, various Republicans are pushing the idea of Health Marts and Association Health Plans as forums where small businessmen can buy cheaper health insurance policies for their workers. But we know from polling of many small businesses that they have no interest in being in the health insurance-providing business. Even if it didn't cost them a penny, a majority of small businesses have said they didn't want to be involved in this process!

In addition, a May 1999 study by the National Coalition on Health Care entitled "Small Employer Health Insurance Purchasing Arrangements: Can They Expand Coverage?" reports:

The central conclusion of this study is that while Health Marts and Association Health Plans will offer advantages to some small firms and may somewhat reduce the deterioration in health insurance coverage in the U.S., they will not by themselves solve the problem of the uninsured. That is primarily because, on balance, neither Health Marts nor Association Health Plans are likely to reduce health costs enough to significantly entice most small firms not now offering coverage to buy health insurance. In addition, benefit packages that are significantly less comprehensive than typical do not seem to have broad appeal, and may still be too costly for most small businesses . . .

Even the most optimistic estimates of the impact of eliminating state mandated bene-

fits or implementing Association Health Plans suggest that between 80% and 80% of the 43 million Americans who are uninsured today would remain uninsured.

Mr. Speaker, it is clear that we need to try new approaches to a problem which is growing evermore serious. Following is a summary of the tax credit bill I have introduced. I hope my colleagues will join me in exploring this approach.

#### SUMMARY OF HEALTH INSURANCE FOR AMERICANS ACT

##### REFUNDABLE TAX CREDIT FOR PURCHASE OF QUALIFIED HEALTH INSURANCE

Amount: \$1,200/adult; \$600 per dependent child, \$3,600 max per family. Dollar amounts adjusted by annual inflation in Federal Employee Health Benefits Program (FEHBP) average premium increase.

Eligibility: Anyone not participating in subsidized employer plan or public plan, or eligible for Medicare.

##### QUALIFIED HEALTH INSURANCE

Is private sector insurance sold through new HHS Office of Health Insurance (OHI).

Insurance must be guaranteed issue/no waiting period, no pre-existing condition, community rated policies.

OHI may negotiate on price, ensure quality of providers and adequacy of benefit package (Like the Office of Personnel Management does for FEHBP now), and hold open enrollment periods to facilitate comparison pricing.

Every insurer selling to FEHBP must offer to sell similar policies to OHI, but may also offer zero premium policies.

OHI will serve as an administrative device to move tax credit from IRS to the insurer selected by the individual, thus providing 'advance funding' and preventing fraud.

Effective date: 2001.

Financing: Not spelled out in bill. Can be surplus, business tax, VAT, insurer/provider surtax, savings from reduced subsidies to providers to provide for the uninsured.

#### IMPROVEMENTS TO THE ENDANGERED SPECIES ACT

#### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 17, 1999*

Mr. CALVERT. Mr. Speaker, the Endangered Species Act of 1973 was well-intentioned legislation. But the Fish and Wildlife Service, especially in California, is working outside of the ESA and undermining its original intent.

Today, I am dropping the third in a series of single-issue bills to make common sense corrections to the ESA. My bill would prohibit the use of any information obtained by trespassing on privately owned property without the consent of the owner. This bill would restrict Fish and Wildlife from using any information that was illegally obtained to declare habitat or otherwise administer the Endangered Species Act.

It is common sense that trespassing is illegal. We all know that. Yet I continue to hear, over and over, that Fish and Wildlife is using information that was questionably obtained to administer the ESA. Mr. Speaker, the Fish and Wildlife Service is not above the law. While Fish and Wildlife employees may or may not be the ones doing the actual trespassing, they have continually shown a disregard for how information was obtained, thereby encouraging trespassing.